1 2 3 4 5 6 7	KAMALA D. HARRIS Attorney General of California MARC D. GREENBAUM Supervising Deputy Attorney General MICHELLE MCCARRON Deputy Attorney General State Bar No. 237031 300 So. Spring Street, Suite 1702 Los Angeles, CA 90013 Telephone: (213) 897-2544 Facsimile: (213) 897-2804 Attorneys for Complainant	
8	BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
10		
11	In the Matter of the Accusation Against:	Case No. 2013-665
12	RITA ANNE ILIAKIS, aka RITA ILIAKIS	
13	5301 Beethoven St, Suite 200A Los Angeles, CA 90066	ACCUSATION
14	Registered Nurse License No. 634246	
15	Respondent.	·
16	,	<b>.</b> ,
17		
18	Complainant alleges:	
19	<u>PARTIES</u>	
!		<u> </u>
20	1. Louise R. Bailey, M.Ed., RN (Comp	plainant) brings this Accusation solely in her
20   21	1. Louise R. Bailey, M.Ed., RN (Composition of the Internal Composition of the Interna	plainant) brings this Accusation solely in her
		plainant) brings this Accusation solely in her
21	official capacity as the Executive Officer of the Consumer Affairs.	plainant) brings this Accusation solely in her
21 22	official capacity as the Executive Officer of the Consumer Affairs.	Plainant) brings this Accusation solely in her Board of Registered Nursing, Department of ard of Registered Nursing issued Registered
21 22 23	official capacity as the Executive Officer of the Consumer Affairs.  2. On or about March 12, 2004, the Bo	Board of Registered Nursing, Department of ard of Registered Nursing issued Registered akis, aka Rita Iliakis (Respondent). The
21 22 23 24	official capacity as the Executive Officer of the Consumer Affairs.  2. On or about March 12, 2004, the Bo Nurse License Number 634246 to Rita Anne Ilia	Plainant) brings this Accusation solely in her Board of Registered Nursing, Department of ard of Registered Nursing issued Registered akis, aka Rita Iliakis (Respondent). The effect at all times relevant to the charges brought
21 22 23 24 25	official capacity as the Executive Officer of the Consumer Affairs.  2. On or about March 12, 2004, the Bo Nurse License Number 634246 to Rita Anne Ilia Registered Nurse License was in full force and 6	Plainant) brings this Accusation solely in her Board of Registered Nursing, Department of ard of Registered Nursing issued Registered akis, aka Rita Iliakis (Respondent). The effect at all times relevant to the charges brought
21 22 23 24 25 26	official capacity as the Executive Officer of the Consumer Affairs.  2. On or about March 12, 2004, the Bound Nurse License Number 634246 to Rita Anne Ilia Registered Nurse License was in full force and element and will expire on November 30, 2013, under the consumer of the Executive Officer of the Consumer Affairs.	Plainant) brings this Accusation solely in her Board of Registered Nursing, Department of ard of Registered Nursing issued Registered akis, aka Rita Iliakis (Respondent). The effect at all times relevant to the charges brought

## **JURISDICTION**

- 3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

## **STATUTORY PROVISIONS**

6. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

#### COST RECOVERY

7. Section 125.3 of the Code provides in part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being

renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

## **CAUSE FOR DISCIPLINE**

# (Discipline by Out of State Licensing Agency)

- 8. Respondent is subject to disciplinary action under Code section 2761 subdivision (a)(4), in that Respondent sustained disciplinary action against her Colorado Nursing License. The circumstances are as follows:
- 9. On or about May 28, 2010, Respondent was employed by a staffing agency and was assigned to work at the Department of Veterans Affairs in Denver, Colorado. When she reported to work, a co-worker detected the odor of alcohol on her breath. A supervisor asked Respondent to submit a breath sample. The results were positive with a reading of .101. Respondent reported using alcohol as a sleep aid.
- 10. On or about September 29, 2010, the Colorado State Board of Nursing issued a Letter of Admonition to Respondent. The Colorado Board found Respondent violated the Colorado Nursing Practice Act Code sections 12-38-117(l), (f) and (i), for negligently or willfully practicing nursing in a manner which fails to meet generally accepted standards; and for excessive uses or abuses of alcohol.

#### **PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 634246, issued to Rita Anne Iliakis, aka Rita Iliakis;
- 2. Ordering Rita Anne Iliakis, aka Rita Iliakis to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and

| ///

///

1	3. Taking such other and further action as deemed necessary and proper.
2	
3	
4	DATED: February 21 2013 Mile Bern
5	LOUISE R. BAILEY, M.ED., RN Executive Officer
6	Board of Registered Nursing Department of Consumer Affairs State of California
7	State of California  Complainant
8	
9	LA2012508092 accusation.rtf
10	
11	
12	
13	
14	
15 16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	,

Accusation